

Section 5 Transfer of Records and Property

11-5-1 All records, property and equipment whatsoever of any office, department, or agency or part thereof, the powers and duties of which are assigned in whole or in part to another office or agency, are assigned to such office or agency.

Section 6 Public Works

11-6-1 The provisions of this charter which relate to the establishment of a division of public works shall become effective sixty days after the Town Manager has been appointed. Upon this date, the highway surveyor shall become subject to the direction of the director of the division, for the remainder of his elected term of office. Upon the expiration of his term of office, the office shall be discontinued, and the incumbent shall be eligible for appointment to a similar position in the division of public works.

11-6-2 The terms of office of the incumbent members of the board of public works shall continue to their normal expiration. As the term of each incumbent expires, the position may be filled by the Town Manager with the approval of the Board of Selectmen for a term of one year. The board shall continue to discharge its duties until the board is abolished in accordance with the provisions of clause 4-6-1, and its powers and duties are reassigned to the director of public works.

Section 7 Board of Assessors

11-7-1 The terms of office of the incumbent members of the board of assessors shall continue to their normal expiration. As the term of an incumbent expires, the position may be filled by the Town Manager with the approval of the Board of Selectmen for term of one year. The board shall continue to discharge its duties until its powers and duties are reassigned in accordance with the provisions of clause 4-6-1.

Section 8 Planning Board

11-8-1 The terms of office of the incumbent members of the planning board shall continue to their normal expiration. As the terms of office of planning board members expire, such positions shall be filled by appointment for a term of three years.

Section 9 Boards Discontinued

11-9-1 On the effective date of this charter, the board of fire engineers, the personnel board, and the capital budget committee shall be discontinued.

11-9-2 The board of public works established by Chapter 379 of the Acts of 1906 may be abolished in accordance with the provisions of clause 4-6-1.

Section 10 Charter Amendment

11-10-1 This charter may be replaced, revised, or amended in accordance with the procedures made available by Article eighty-nine of the amendments to the Constitution of the Commonwealth, commonly known as the Home Rule Amendment, and M.G.L. Chapter 43B, commonly known as the Home Rule Procedures Act.

Section 11 Definitions

11-11-1 Unless another meaning is clearly apparent, from the manner in which the word is used, the following words as used in this charter shall have the following meanings:

(a) **Charter.** The word “charter” shall mean this charter and any amendments to it made through any of the methods provided under Article eighty nine of the amendments to the Constitution of the Commonwealth.

(b) **Town.** The word “town” shall mean the Town of North Andover.

(c) **Town Agency.** The words “town agency” shall mean any board, commission, committee, department or office of town government.

(d) **Majority Vote.** The words “majority vote” shall mean a majority of those present and voting provided that a quorum of the body is present.

(e) **Voters.** The word “voters” shall mean registered voters of the Town of North Andover.

(f) **Multi-member Body.** The words “multi-member body” shall mean any board, commission or committee of the town consisting of two or more persons, whether appointed or elected.

(g) **Certification.** The word “certification” shall mean that person has been declared elected and sworn to the faithful performance of duty by the Town Clerk.

(h) **He/his.** The words “he” or “his” or any use of a masculine noun or pronoun in this charter shall include the feminine.

(I) **Elected officer.** The words “elected officer” as used in 11-4-2 shall mean the Town Clerk, the highway surveyor, the collector-treasurer, and any other individual elected office, abolished or made appointive by this charter.